

REMARKS

The attorney for the Applicant would like to express his sincere appreciation to Examiner Jacob Minskey for the courtesies shown during telephone conferences on April 27, 2010 and May 19, 2010. During the telephone conferences proposed amendments to the claims were discussed along with the features of such proposed amended claims distinguish over the primary reference of Tanaka, US Patent Publication 2002/0119209. In the telephone conference on May 19, 2010, the undersigned proposed additional changes relating to the sides of the plates extending between the inner and outer radii. No agreement was reached with respect to the allowability of the proposed claims.

The Examiner has rejected claims 1, 2, 6, 9, 10, 13, 21, 22, 25, and 28 – 30 under 35 U.S.C. §102(a) and (e) as being anticipated by Tanaka, US Patent Publication 2002/0119209. Claims 3, 5, 7, 23, 24 and 26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka and claims 8 and 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka in view of Fike, US Patent 6,632,393. Of the rejected claims, claims 1, 21, and 30 are independent with the other claims being dependent on one of the independent claims. Accordingly, the comments herein will focus on the independent claims, each of which has been rejected under 35 U.S.C. §102 (a) and (e).

In the rejection of claims 1, 21 and 30, the Examiner states that "Tanaka

teaches a method of making a tire mold by preparing a plurality of plates to define the tread pattern ... by machining at least one discrete region on at least one side of the plates (grooves 21 [00056]) and thereafter stacking the plates so that the grooves form a gap (gap 17 [00055-00058]) between the plates (described in [00057-00059]), and that the gaps are connected to vent passages (groove 18 [00057-00059]) that are bigger and wider than the first gaps ([00058]) and is at a depth of 1-3mm (.04-1.2 inches. [00058])” Initially it should be noted that the tire vulcanizing mold 1 of Tanaka is a segmented type mold circumferentially divided into a plurality of segments. Tanaka does not disclose or suggest, a mold of stacked plates. As shown in Fig. 1 of Tanaka, there are provided seven holders 2 each of which serves to hold on its inner surface a plurality of segmented mold pieces 10 providing a desired pattern to a tread portion of a tire. The molding surfaces of the mold pieces are faced radially inwardly. It is clear from Figs. 1 and 4 that no “stacked plates” and taught or suggested in Tanaka. Rather, each of the segmented mold pieces extend from one shoulder portion of a product tire, through the circumferential centerline of the tire to the other shoulder portion. See 00055 which states “Each abutment surface 12 continuously extends from one shoulder portion of a product tire to the other shoulder portion.” In contrast, the stacked plates of the present invention each has an inner diameter 15 which define only a portion of the molding surface. Thus, as shown in Fig. 1 of the

present application, a plurality of individual plates 10 is required to define a molding surface 15 extending from one shoulder portion of a product tire to the other shoulder portion.

The Examiner states in paragraph 6 of the Office Action that "...at least one discrete region on at least one side of the plates ..." is machined to provide grooves 21. However, as may be clearly seen in Fig. 5 and as stated at the end of paragraph 00055 the "... narrow grooves 21 ... extend in the circumferential direction of the tire." In contrast, the claims as amended herein clearly set forth the feature of the plates being initially machined in at least one discrete region to a shallow depth from "... its inner radius part way toward its outer radius, ..." and that, after the plates are stacked together with the first gaps "... extending substantially radially from the inner radius toward the outer radius ...", second gaps are formed at a depth and width greater than the first gaps and in a "... predetermined alignment to the first gaps ..." to form vent passages between the adjacent plates. Tanaka does not disclose or suggest these features.

Examiner also states that "... thereafter stacking the plates so that the grooves form a gap (gap 17 [00055-00058]) ... and that the gaps are connected to vent passages (groove 18 ...)" It should be noted that, in addition to not having plates which are stacked as set forth in the amended claims, the gap 17 extends transversely and the groove 18 appears to extend from shoulder to shoulder of the

tire being formed and not radially as defined in the claims. Groove 18 communicates with passage 19 extending to the back surface of mold piece 10.

It is respectfully submitted that when realistically construed according to the teachings set forth in Tanaka that the present invention as defined in independent claims 1, 21 and 30 is clearly patentable over the art cited by the Examiner and that they and the claims dependent thereon are unobvious to a person skilled in the art and are, therefore, patentable.

In view of the foregoing, reconsideration of the application and allowance of claims 1 – 3, 5 – 10, 13 and 21 – 30 are respectfully solicited.

Respectfully submitted,

EMCH, SCHAFFER, SCHAUB
& PORCELLO CO., L.P.A.



Philip M. Rice
Reg. No.: 20,855

P.O. Box 916
Toledo, Ohio 43697
Ph: (419) 243-1294
Fax (419) 243-8502
PMR/kab